

Article III, section 35, reading "nor shall the salary or compensation of any public officer be increased or diminished during his term of office" was so all-pervasive and applicable that the specific provision in the Baltimore City Charter which authorized an increase once during the term of office was found to be unconstitutional.

Now, I do not know whether or not the adoption of the local government article would mean that this kind of language in a constitution no longer applied —

THE CHAIRMAN: Delegate Gallagher, if the Chair may interrupt you, I take it that it is clear from the discussion that the intention of the Committee of the Whole and the Committee on State Finance is clear, that this sentence is intended to provide only for public officers at the state level.

The question that is uncertain is whether it is intended to apply to only such of those officers whose compensation is fixed by law or also to those state officers whose compensation is provided for by the budget.

I would think, and I would ask Delegate Penniman's secretary to note, that the last sentence of section 6.07 is intended to apply only to public officers whose compensation is normally included in the state budget. It is not intended to apply to local officers.

Is that quite correct, Delegate Sherbow?

DELEGATE SHERBOW: Yes, sir, it is.

THE CHAIRMAN: Delegate Bamberger.

DELEGATE BAMBERGER: I think it is too important to leave to the Committee on Style. I was withdrawing the amendment with the understanding that the staff and the Committee on State Finance and Taxation would either on second reading or in an additional committee report state more precise language as a substitute for the last sentence.

THE CHAIRMAN: The Chair understands, and I think both courses could be followed. I merely wanted to reassure Delegate Gallagher as to his concern.

Amendment No. 3 is withdrawn.

The question now arises upon the approval of Committee Recommendation SF-5 as amended.

The Clerk will ring the quorum bell.

The question arises upon the approval of Committee Recommendation SF-5 as amended. A vote Aye is a vote in favor of

the committee recommendation as amended. A vote No is a vote against.

Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

The Clerk will record the vote.

(Laughter.)

(Applause.)

THE CHAIRMAN: There being 119 votes in the affirmative and none in the negative, the motion is carried and Committee Recommendation SF-5 is approved as amended.

On behalf of the entire Committee of the Whole, the Chair desires to express the sincere appreciation of all of us to the Committee Chairman and Vice-Chairman and staff for a very able, even though tiresome, presentation of a very difficult subject.

Thank you very much.

(Applause.)

DELEGATE SHERBOW: Mr. Chairman, I have a point of personal privilege.

THE CHAIRMAN: State the privilege.

DELEGATE SHERBOW: I rise in order to express on behalf of our Committee and myself as Chairman the really warm and terrific feeling of indebtedness and appreciation to our — I do not know what is the right title — general factotum, because it is far beyond chief assistant, our entire aide, H. H. Walker Lewis.

We are truly grateful to him for the hours beyond the ordinary call of duty, for the research and results and all the blood, sweat, and tears he put into this along with us.

(Applause.)

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: At the risk of overstaying my time, may I correct a record of this Convention in the light of the fact that the Court of Appeals handed down a decision? What appeared to be confusing the other night has been correctly stated by the Chairman of the Committee.

THE CHAIRMAN: You certainly may.

DELEGATE SHERBOW: Ladies and gentlemen, I am not asking for any reconsideration of anything. What is done is done. But the other night when we were